

WHITEWATER COMMISSION QUARTERLY MEETING DECEMBER 20, 2006 MINUTES

The quarterly meeting of the Whitewater Commission was held on Wednesday December 13, 2006, in the West Virginia Division of Tourism Conference Room, South Charleston, West Virginia. The following individuals were in attendance:

WHITEWATER COMMISSION MEMBERS

Frank Jezioro, Director, Division of Natural Resources (Presiding)
Betty Carver, Division of Tourism
Don Beyer
Jeff Proctor
Rick Johnson
Johnathan Danz

DIVISION OF NATURAL RESOURCES

Jena Kay Webb, DNR Law Enforcement Section (Recording Secretary)
Col. David E. Murphy, DNR Law Enforcement Section
Will Valentino, Legal Counsel for DNR
Keith Wilson, Budget Officer, Division of Natural Resources

PUBLIC

Eric Pories, WVPRO
Rob Dobson, WV Adventures
Paul Breuer, Adventure Mountain River
Len Hanger, Songer Whitewater
Imre Szilagyi, Appalachian Wildwaters
Ken Mondlin, Rivers
Eddie Lilly, Rivers
Benji Simpson, Passages to Adventure

CALL TO ORDER

The meeting was called to order by Director Jezioro at approximately 1:15 p.m. All commission members were present at this meeting with the exception Bill Garten, Arthur George and Paul Hart.

INTRODUCTIONS

Director Jezioro welcomed the new commission members that Governor Manchin appointed to the Whitewater Commission on December 4, 2006; new commissions in attendance introduced themselves (Attachment A).

APPROVAL OF MINUTES

Commissioner Proctor made a **MOTION** to approve the minutes of the September 20, 2006 meeting as submitted. The motion was seconded by Commissioner Johnson. The motion was voted on and passed.

PUBLIC COMMENT

Eric Pories, WVPRO, provided an update on the Whitewater Strategy Study and stated that the study should begin in January 2007.

Rob Dobson, West Virginia Adventures stated that he felt that the agenda for the quarterly meeting should be sent out to outfitters prior to the meeting so that whitewater outfitters could discuss agenda items prior to the meeting.

After a short discussion concerning meeting agenda's Colonel Murphy stated that DNR would provide the commission members the agenda at least one week prior to the meeting date.

Eddie Lilly, Rivers II, Inc.; stated that he wanted to address an issue as an outgoing commission member. Commissioners were supposed to be the chairman of each of the sub-committees, Commissioners were appointed to fill vacancies, and chairmen of sub-committees were not being replaced. He stated that he now understands that commission members will hold sub-committee chair positions. It would make things simpler if meeting agendas were put on the DNR website so that outfitters that are interested in the meetings would be able to see what was going to be discussed at quarterly meetings.

BUDGET SUBCOMMITTEE REPORT

Attachment B was handed out to commissioners pertaining to budget information. Commissioner Proctor stated that he had spoken with Matt Knott and although he was no longer a member of the Commission he stated that he would like to be a member of the budget sub-committee and help the next chairman understand the budget process.

OTHER BUSINESS

Director Jezioro stated that he would start with the Regulations Sub-Committee and ask for a volunteer from the Commission to be chairperson. Rick Johnson stated that he would chair that sub-committee. Director Jezioro ask Jeff Proctor if he would chair the Limits of Acceptable Change (LAC) Sub-committee and Commissioner Proctor accepted. Johnathan Danz with be chairman of the Tourism Sub-committee and the chairman of the Budget Sub-committee will be discussed at the next meeting.

TOURISM SUBCOMMITTEE REPORT

Commissioner Carver commented briefly on activities pertaining to the Division. Tourism Day at the Legislature will be February 28th. There will be exhibits on both floors of the Capitol and a reception in the evening. The main way for the Division to communicate to the industry is through the E-Blaster, E-Notes and if you are not signed up please do so. The E-Blaster is sent out every couple of weeks to share information. The Governor's Conference was the last week of November and there were over 300

people in attendance. Please provide Tourism's 800 Counselors with any updates on information, such as phone numbers, web-site addresses.

LAC SUBCOMMITTEE REPORT

Commissioner Proctor stated that the outfitters have successfully used the on-line trip leader reporting system to collect data. A discussion on how to utilize this information should be on the March 2007 meeting agenda.

OTHER BUSINESS

Director Jezioro ask the commission members if they had any topics they would like to discuss.

Commission Proctor stated that he read in the previous minutes of the September 2006 meeting, New River Academy gave a presentation to the commission about their program. He stated that he would like to make sure the commission followed up on New River Academy. Also, trout stockings would fall under the realm of the Regulation Sub-committee.

Director ask if any of the outfitters attended the meeting with the Corps of Engineers new Colonel the previous day. Len Hanger, Songer Whitewater, stated that he attended that meeting and it was very productive. Trout stockings was discussed and the Colonel was glad the outfitters and DNR were continuing the stocking program.

Eric Pories stated that he talked with Bret Preston, DNR Wildlife, during the same meeting and clarified to him that once the new Commissioners were seated they should discuss the issue whether trout stocking fees could be collected by the commission. That issue will go to the Regulation Sub-committee to work with legal counsel to decide how that process can be done through the Legislature.

Commissioner Carver stated that the West Virginia Film Office has been with Tourism three years and they are really doing some great work. The Corps of Engineers is being very helpful to Pam Haynes, Director of the Film Office and the new Location Services Manager, Jamie Cope. River On Demand is the main thing offered when working marketing places to attract film to West Virginia.

Director Jezioro inquired as to how the numbers on the Gauley River in 2006 compared to years past.

Len Hanger stated the Gauley numbers were up about 1,800 customers from 2005. On opening Gauley Day the outfitters had a live satellite feed, with multiple interviews with the Corps of Engineers, guides and customers. It played in fourteen to seventeen different markets in the Eastern half of the Country. Mr. Hanger also taped a segment that played on the weather channel on Saturday and Sunday of Gauley Day weekend. Mr. Hanger also stated that the outfitters had a very good season. The customer numbers were up and water conditions were absolutely excellent. The outfitters actually had extra flow the last three to four weekends. The Corp had extra water since they were doing construction at the marina and had to lower the water level.

Director Jezioro introduced Will Valentino, Legal Counsel for DNR, to the

Commission.

In response to Commissioner Proctor's inquiry into the presentation that David Hughes made to the commission at the September 2006 meeting, Mr. Valentino stated that a letter would be drafted from DNR to New River Academy, David Hughes, explaining that he can not operate on the river with out a valid license.

Mr. Valentino stated that he and members of the DNR are working with Beverly Gandee, Legislative Audit Committee, on the Sunset Audit for the Whitewater Commission.

Mr. Valentino also stated that during a meeting he was asked him if he thought the Whitewater Commission Sub-committees, were governing bodies and must comply with the open meeting statute. Mr. Valentino said that he got verification from the Ethics Commission that the sub-committees were subject to the open meeting statute. The same ethical rules apply to the sub-committees as apply to the commission. All meetings have to be filed with the Secretary of State.

Commissioner Proctor asked Director Jezioro who in the DNR the commission would need to contact about the on-line trip leader report system.

Colonel Murphy stated that Lt. Case was the person to work with and to coordinate the effort with Chip Short to retrieve data from the on-line trip leader report system.

Colonel Murphy stated that a request had been made to DNR to supply the commission previous meeting minutes so that current commissioners could review them so that they could get a historical prospective. Minutes from the past two years will be presented to each commissioner.

Commissioner Proctor ask if approved minutes could be put on the outfitter website.

Colonel Murphy stated that posting of the minutes to the outfitter website would be looked into.

NEXT MEETING DATE AND PLACE

It was discussed that the next meeting would be tentatively scheduled for Tygart Valley State Park on Wednesday, March 21, 2007 at 1:00 pm.

A **MOTION** to adjourn was made by Commissioner Johnson and seconded by Commissioner Proctor. Motion passed and the meeting was adjourned at approximately 3:00 p.m.